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<p>1 A No.</p> <p>2 Q You may have answered this. Exactly what</p> <p>3 did you supervise Adams over? What did you make</p> <p>4 sure he was doing?</p> <p>5 A That procedures within the police</p> <p>6 department were followed.</p> <p>7 Q How did you facilitate that if you didn't</p> <p>8 look at documents?</p> <p>9 A I didn't say I didn't look at documents.</p> <p>10 Q What documents would you look at?</p> <p>11 MR. SIMOPOULOS: Objection. Asked and</p> <p>12 answered.</p> <p>13 MR. PURICELLI: That's right there in</p> <p>14 front of you.</p> <p>15 MR. SIMOPOULOS: Come on. Let's move this</p> <p>16 thing along.</p> <p>17 BY MR. PURICELLI:</p> <p>18 Q As you can see, I'm moving along quite</p> <p>19 well. I've looked at a lot of documents including</p> <p>20 faxes. I'm sure you don't look at faxes; right?</p> <p>21 A I look at faxes, yes.</p> <p>22 Q So you look at case files?</p> <p>23 A From time to time I do.</p> <p>24 Q Did you look at the Bush case file?</p> <p>25 A The case file would have been presented to</p>	<p>1 A You would find it in our general orders</p> <p>2 operating manual, and I think it is entitled Youth</p> <p>3 and Family Services Investigations.</p> <p>4 Q I'm sure that's a pretty big book. Is</p> <p>5 that fair?</p> <p>6 A The general orders are split up in I</p> <p>7 believe 14 or 17 pages long, but it's not that long.</p> <p>8 Q Oh, okay. And the operation manual?</p> <p>9 A That is the operation manual.</p> <p>10 Q Okay. So basically an operation manual</p> <p>11 containing general orders?</p> <p>12 A The only thing that would govern in our</p> <p>13 operating manual besides state law, which obviously</p> <p>14 state code --</p> <p>15 Q I can look that up. Believe me.</p> <p>16 A All right. On how to fill out runaway,</p> <p>17 missing person report. And Youth Services</p> <p>18 Investigations would be all compiled in that general</p> <p>19 order. And it's just one general order specific to</p> <p>20 youth and family service investigations.</p> <p>21 Q Does it create any undue burden, financial</p> <p>22 or otherwise, to copy the 17 pages?</p> <p>23 MR. SIMOPOULOS: Objection to form. Calls</p> <p>24 for a legal conclusion, I believe.</p> <p>25 MR. PURICELLI: I can rephrase it. You</p>
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<p>1 me if I were to review it after this happened. The</p> <p>2 only thing I looked at are the documents that you're</p> <p>3 presenting to me at the time. Once warrants were</p> <p>4 obtained, to me that was it for me. I didn't do</p> <p>5 anything else. I assisted Sergeant Adams at the</p> <p>6 time with policy and procedures and talking to the</p> <p>7 Commonwealth Attorney's Office. And he obtained the</p> <p>8 warrants from the magistrate. They were placed on</p> <p>9 file. The marshals were notified and that was</p> <p>10 pretty much my involvement.</p> <p>11 Q All right. What were the policies -- and</p> <p>12 if you'll allow the compound question -- procedures</p> <p>13 that you helped him with?</p> <p>14 A To make sure the proper paperwork was</p> <p>15 filed. To make sure that it was signed, the</p> <p>16 affidavit was complete, that the reports were filed,</p> <p>17 that the court orders were valid, which they were.</p> <p>18 And that he was communicating with the Commonwealth</p> <p>19 Attorney's Office along the way referencing any kind</p> <p>20 of charges. And I tried to help him facilitate the</p> <p>21 return of the children based on a valid court order</p> <p>22 and valid missing person report filed with the</p> <p>23 police department.</p> <p>24 Q If I wanted to go look at the policy</p> <p>25 you're referring to where would I find it?</p>	<p>1 know exactly what I'm asking. The point is,</p> <p>2 how hard would it be for me to copy the 17</p> <p>3 pages?</p> <p>4 MR. SIMOPOULOS: Not hard.</p> <p>5 MR. PURICELLI: Would it stop your whole</p> <p>6 operation? Would it take away crucial</p> <p>7 personnel? Would it impose such an economic</p> <p>8 burden on the City that they couldn't possibly</p> <p>9 copy that and send me these?</p> <p>10 MR. SIMOPOULOS: What are you asking?</p> <p>11 MR. PURICELLI: I'm going to see whether</p> <p>12 it's worthwhile for me to ask for a copy of</p> <p>13 this policy so I can see if it was followed.</p> <p>14 He says he helped him.</p> <p>15 MR. SIMOPOULOS: Are you asking him a</p> <p>16 question?</p> <p>17 MR. PURICELLI: Yes.</p> <p>18 BY MR. PURICELLI:</p> <p>19 Q Can you give it to your attorney and send</p> <p>20 it to me?</p> <p>21 MR. SIMOPOULOS: We'll talk about</p> <p>22 documents after the deposition.</p> <p>23 MR. PURICELLI: Yes. But I don't want to</p> <p>24 face an objection with the judge saying it's an</p> <p>25 undue burden. If it is I won't ask. But if</p>

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<p>1 it's not.</p> <p>2 MR. SIMOPOULOS: Let's discuss it after</p> <p>3 the deposition.</p> <p>4 MR. PURICELLI: Okay.</p> <p>5 BY MR. PURICELLI:</p> <p>6 Q So you helped him with these policies.</p> <p>7 We're going to talk about how to go through this</p> <p>8 process.</p> <p>9 A He knows the policies. I just made sure</p> <p>10 the policies were followed as part of our general</p> <p>11 order.</p> <p>12 Q But I don't know the policies. And I need</p> <p>13 to read them to see if they were followed. I know</p> <p>14 you know them. And I don't want to sit here and ask</p> <p>15 you 700 questions on each policy and was it</p> <p>16 followed. Seems easier for me to read it. Would</p> <p>17 you agree?</p> <p>18 MR. SIMOPOULOS: Calls for speculation.</p> <p>19 Objection. You can answer.</p> <p>20 THE WITNESS: I think you'd understand</p> <p>21 them.</p> <p>22 BY MR. PURICELLI:</p> <p>23 Q Just so you'll know, I spent 15 years a</p> <p>24 cop and the last 19 as a lawyer. Let me talk to my</p> <p>25 client.</p>	<p>1 you're familiar with?</p> <p>2 A No.</p> <p>3 Q No document you've read we haven't talked</p> <p>4 about?</p> <p>5 A No.</p> <p>6 Q Any information that you have in regards</p> <p>7 to this matter that we haven't talked about?</p> <p>8 A No.</p> <p>9 MR. PURICELLI: We're done.</p> <p>10</p> <p>11</p> <p>12 (Witness to read and sign.)</p> <p>13 (One exhibit.)</p> <p>14 (Proceedings concluded at 4:45 p.m.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 (Proceedings temporarily off</p> <p>2 record after which time the</p> <p>3 following resumed on record.)</p> <p>4 BY MR. PURICELLI:</p> <p>5 Q Lieutenant Russell, anybody involved in</p> <p>6 the investigation of the missing children or the</p> <p>7 arrest of Mr. Bush from the Virginia side that we</p> <p>8 haven't talked or named in this deposition?</p> <p>9 A I'm sorry. That you haven't talked to?</p> <p>10 Q Talked about or named specifically in this</p> <p>11 deposition?</p> <p>12 A No.</p> <p>13 Q Anybody that you know was talked about or</p> <p>14 to or sent something from Pennsylvania to Richmond</p> <p>15 or anywhere in the world to Richmond about this</p> <p>16 matter that we haven't talked about?</p> <p>17 A No.</p> <p>18 Q Any documents that you're aware of in this</p> <p>19 case that we haven't talked about in this case?</p> <p>20 A Any other documents?</p> <p>21 Q Yes.</p> <p>22 A Just the teletype sent from Richmond</p> <p>23 Police to either Newtown or Bucks County.</p> <p>24 Q We talked about that. We can't find it.</p> <p>25 Doesn't mean it's not out there. Nothing else</p>	<p>1 CERTIFICATE</p> <p>2 State of Virginia)</p> <p>3) Ss:</p> <p>4 Chesterfield County)</p> <p>5 I, Mary E. Aliff, a Notary Public</p> <p>6 within and for the State of Virginia, at Large, duly</p> <p>7 commissioned and qualified, do hereby certify that</p> <p>8 the within named witness, LIEUTENANT BRIAN RUSSELL,</p> <p>9 was by me first duly sworn to tell the truth, the</p> <p>10 whole truth and nothing but the truth in the cause</p> <p>11 aforesaid; that the testimony then given by him was</p> <p>12 reduced by me to stenotype in the presence of said</p> <p>13 witness, subsequently transcribed into English text</p> <p>14 under my direction, and that the foregoing is a true</p> <p>15 and accurate transcript of the testimony so given.</p> <p>16 I do hereby certify that this</p> <p>17 deposition was taken at the time and place as</p> <p>18 specified in the foregoing caption and was completed</p> <p>19 without adjournment.</p> <p>20 I do hereby further certify that I am</p> <p>21 not a relative, counsel or attorney of either party</p> <p>22 or otherwise interested in the outcome of this</p> <p>23 action.</p> <p>24 In witness whereof, I have hereunto set</p> <p>25 my hand this 14th day of July, 2010.</p> <p>20 Mary Elizabeth Aliff</p> <p>22 Virginia Notary Registration No. 270874</p> <p>23 My commission expires</p> <p>24 May 31, 2014.</p> <p>25</p>

<p style="text-align: right;">Page 105</p> <p>1 UNITED STATES DISTRICT COURT</p> <p>2 for the</p> <p>3 EASTERN DISTRICT OF VIRGINIA</p> <p>4</p> <p>5</p> <p>6</p> <p>7 CHRISTPHER BUSH AND DAVID BUSH</p> <p>8 Plaintiff</p> <p>9</p> <p>10 v. Civil Action No. 07-4926</p> <p>11</p> <p>12 S.C. ADAMS, ET AL.</p> <p>13 Defendants</p> <p>14</p> <p>15</p> <p>16 Deposition of LIEUTENANT BRIAN RUSSELL,</p> <p>17 taken at the instance of the Plaintiff, before</p> <p>18 Mary E. Aliff, Court Reporter and Notary Public for</p> <p>19 the State of Virginia at Large on May 20, 2010</p> <p>20 commencing at 2:45 p.m. at the offices of the City</p> <p>21 of Richmond City Attorney, 900 E. Broad Street,</p> <p>22 Richmond, Virginia, pursuant to Rule 4:5 of the</p> <p>23 Supreme Court Rules of Virginia, pursuant to notice.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 107</p> <p>1 I, LIEUTENANT BRIAN RUSSELL, hereby certify</p> <p>2 that this transcript is true and accurate, with</p> <p>3 comments, of the statement given in the above styled</p> <p>4 matter at the time and place specified in the</p> <p>5 caption hereinabove.</p> <p>6</p> <p>7</p> <p>8 -----</p> <p>9</p> <p>10</p> <p>11 Sworn to before me this _____</p> <p>12 date of _____, 2010.</p> <p>13</p> <p>14 Notary Public within and for the</p> <p>15 State of _____.</p> <p>16</p> <p>17 My commission expires _____.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 106</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 Mr. Brian Puricelli, Esq.</p> <p>4 Law Offices of Brian Puricelli</p> <p>5 691 Washington Crossing Road</p> <p>6 Newtown, PA 18904</p> <p>7 on behalf of Plaintiff;</p> <p>8</p> <p>9 Mr. Nicholas Simopoulos, Esq.</p> <p>10 Office of the City Attorney</p> <p>11 900 East Board Street</p> <p>12 Richmond, Virginia 23219</p> <p>13 on behalf of Defendant.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 108</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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